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**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**

August 9, 2005

**SUBJECT:** SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT, SIC/LEED LLC AND COUNTY OF RIVERSIDE DEPARTMENT OF PUBLIC SOCIAL SERVICES.

**RECOMMENDED MOTION:** That the Board of Supervisors approves the attached Subordination, Non-Disturbance and Attornment Agreement and authorize the Chairman of the Board to execute same on behalf of the County.

**BACKGROUND:** The County of Riverside and D.D. Bainbridge, LLC entered into a lease agreement on July 27, 2004, for the purpose of providing office space for the Department of Public Social Services in the facility located at 541 North San Jacinto Street, Hemet. The interest of D.D. Bainbridge has been assigned to SIC/LEED LLC. To facilitate the refinancing of this property, Citigroup Global Markets Realty Corp, a New York Corporation, has requested the execution of this agreement by the County and Lessor.

(Continued on Page 2)

Departmental Concurrence

*Michael J. Sylvester*  
MICHAEL J. SYLVESTER, DIRECTOR

Department of Facilities Management

MJS:SS:pc  
9.633

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$ 0	<b>In Current Year Budget:</b>	Yes
	<b>Current F.Y. Net County Cost:</b>	\$ 0	<b>Budget Adjustment:</b>	No
	<b>Annual Net County Cost:</b>	\$ 0	<b>For Fiscal Year:</b>	05/06

**SOURCE OF FUNDS:** No County costs

<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

*Lisa Brandl*

**County Executive Office Signature**

Policy

Consent

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.: 7/27/04, 3.19

District: 3

Agenda Number:

**ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD**

**3 . 37**

BOARD OF SUPERVISORS

Form 11: SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT  
AGREEMENT, SIC/LEED LLC AND COUNTY OF RIVERSIDE  
DEPARTMENT OF PUBLIC SOCIAL SERVICES.

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**BACKGROUND:** (Continued)

By execution of this agreement, the County agrees to subordinate its leasehold estate to the liens in favor of the Lender which will have no effect on prospective rights and obligations of County or the Lender as set forth in the lease. In addition, in the event the Lender or its successor becomes the Landlord, the County will recognize (attorn) the Lender or its successor as Landlord and the County's right and obligations shall remain the same (non-disturbed) as set forth in the lease for the remainder of the lease term.

The attached agreement has been approved as to form by County Counsel.